

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

AFFILIATED FOODS MIDWEST
COOPERATIVE, INC., a Nebraska
corporation; and ASSOCIATED
WHOLESALE GROCERS, INC.,

Plaintiffs,

vs.

SUPERVALU INC., a Delaware corporation;

Defendant.

**8:16CV465
MEMBER CASE**

ORDER

BOROWIAK IGA FOODLINER, INC.,

Plaintiff,

vs.

AFFILIATED FOODS MIDWEST
COOPERATIVE, INC., and ASSOCIATED
WHOLESALE GROCERS, INC.,

Defendants,
Counterclaimants, and
Third-Party Defendants,

vs.

TREVOR BOROWIAK,

Third-Party Defendant.

**8:16CV466
LEAD CASE**

ORDER

This matter is before the Court on Affiliated Foods Midwest Cooperative, Inc. (“AFM”) and Associated Wholesale Grocers, Inc.’s (“AWG”) Motion to Suspend Discovery Deadlines in the Member Case Pending Resolution of Motion to Consolidate ([Filing No. 106](#) in Case No. 8:16CV465). AFM/AWG requests a suspension of discovery deadlines due to previous issues with discovery production and in consideration of Borowiak IGA’s Motion to Consolidate, which may further impact the progression of the case.

After AFM/AWG filed the motion, the Court permitted counsel for SuperValu, Inc. to withdraw. SuperValu’s new counsel represents that SuperValu does not oppose the motion, and

further represents that it is engaged in discussions with the other parties regarding a revised progression schedule. ([Filing No. 119](#)). Accordingly,

IT IS ORDERED:

1. Affiliated Foods Midwest Cooperative, Inc. and Associated Wholesale Grocers, Inc.'s Motion to Suspend Discovery Deadlines in the Member Case Pending Resolution of Motion to Consolidate ([Filing No. 106](#) in Case No. 8:16CV465) is granted;

2. Within fourteen (14) days after the Court issues its ruling on Borowiak IGA Foodliner's Motion to Schedule Jury Trial and Consolidate ([Filing No. 104](#) in Case No. 8:16CV465), the parties shall submit a joint proposed revised schedule for progression of the case to the undersigned magistrate judge.

Dated this 20th day of February, 2018.

BY THE COURT:

s/ Michael D. Nelson
United States Magistrate Judge